



IT IS ORDERED as set forth below:

Date: December 28, 2012

James R. Lucca

James R. Sacca
U.S. Bankruptcy Court Judge

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:

Raymond Oscar Hudson and,
Yadirah Caridad Hudson
Debtors.

CHAPTER 13

CASE NO. 12-64604-JRS

Raymond Oscar Hudson and
Yadirah Caridad Hudson
Movant,

VS.

CONTESTED MATTER

Navy Federal Credit Union

Respondent.

ORDER GRANTING DEBTOR'S MOTION TO DETERMINE SECURED STATUS OF CLAIM

The above matter came before the Court on December 6, 2012 on Debtors' Motion to Determine Secured Status (the "Motion") Docket No.26. Debtors seek a determination that the second priority lien held by Navy Federal Credit Union on Debtors' interest in their residence (the "Lien") located at 4276 Glenhaven Drive, Decatur, GA 30035 (the "Property") is completely unsecured because, based upon the Property's value and the amount of the first priority mortgage, there is no equity in the Property to which the Lien can attach. No party filed

a response or otherwise appeared in opposition to Debtors' Motion. Based upon all matters of record, it is hereby

ORDERED that Debtors' Motion is granted as provided herein; it is

FURTHER ORDERED that, for purposes of the Debtors' Chapter 13 case, the claim of Navy Federal Credit Union, shall be treated as a general non-priority unsecured claim; and it is

FURTHER ORDERED that, effective upon entry of discharge in the Debtors' Chapter 13 case, the Lien of Navy Federal Credit Union evidenced by a security deed recorded in the Superior Court of DeKalb County at Deed Book 17524, Page 504, shall be avoided without further order pursuant to 11 U.S.C. section 506(d); provided, however, that the Court reserves jurisdiction to consider if appropriate the avoidance of Respondent's Lien prior to entry of a discharge under 11 U.S.C. section 1328(a). In the event the Debtors' case is dismissed or converted to chapter 7, the Lien of Respondent shall not be affected by this Order in accordance with 11 U.S.C. sections 349(b)(1)(C) or 348(f)(1)(B) as applicable.

END OF DOCUMENT

PREPARED BY:

William R. Tate /s/
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NO OPPOSITION:

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Chapter 13 Trustee
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Debtor

Raymond Oscar Hudson

Yadirah Caridad Hudson
4276 Glenhaven Drive
Decatur, GA 30035

Respondent

Raymond Oscar Hudson

Yadirah Caridad Hudson
4276 Glenhaven Drive
Decatur, GA 30035

Navy Federal Credit Union

P.O Box 23800
Merrifield, VA 22119

Navy Federal Credit Union

P.O Box 3700
Merrifield, VA 22119

Navy Federal Credit Union

c/o Mccurdy & Candler, LLC
Attention: Sidney Gelernter
Six Piedmont Center, Suite 700
3525 Piedmont Road, NE
Atlanta, GA 30305

Mark R. Machen

Registered Agent for: Navy Federal Credit Union
1007 Electric Avenue
Suite 100
Vienna, VA 22180

Navy Federal Credit Union

Attention: Carolyn McInerney, Treasurer
820 Follin Lane

Vienna, VA 22180

Navy Federal Credit Union

Attention: Juliana Avel, Secretary

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Navy Federal Credit Union

Attention: George Eichert, Chairman

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